THE HONOURBALE SRI JUSTICE GODA RAGHURAM

WP NO.16760 OF 2007

Between:

Smt.Vinna Mangatayaru wife of Late Venkateswara Rao

....petitioner

Vs.

The District Collector, Eluru, West Godavari District and others

…Respondents

THE HONOURBALE SRI JUSTICE GODA RAGHURAM

WP NO.16760 OF 2007

ORAL ORDER

The writ petition is filed on the assertion that on 31-07-2007 the 2nd and 3rd respondents and their subordinates visited the petitioner's lands in an extent of Ac.9.49 cents in Sy.Nos.862/1, 865/1, 866/4 to 7, 867/6 and 7 respectively, situated at Biyyaputhipaa village, Narsapur Mandal, West Godavari District and have asked the petitioner's lessee to vacate the lands on the ground that the State desires to construct the harbour. It is asserted that no lawful process for acquisition of the lands has been initiated by the respondents.

The learned Government Pleader for Revenue concedes as a principle of law that neither the State nor any of its officers are entitled to dispossess a citizen of his property except by following the due process of law including if appropriate by invoking the provisions of the Land Acquisition Act,1894.

In view of the aforementioned representation and concession on legal principle on behalf of the respondents by the learned Government Pleader for Revenue, the petitioner need have no apprehension.

Recording the submission on behalf of the respondents the writ petition is disposed of at the stage of admission. In the circumstances there shall be no order as to costs.

GODA RAGHURAM,J

7th AUGUST 2007
***TSNR**